APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,913	03/02/2004	Elliot M. Choi	END920040013US1	1411

			EXAMINER
30449	7590	08/24/2006	WEI, ZHENG

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ART UNIT	PAPER NUMBER
2194	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/790,913	CHOI ET AL.
	Examiner	Art Unit	
	Zheng Wei	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 March 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-27</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>02 March 2004</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to the application filed on 03/02/2004

The priority date for this application is 03/02/2004

Claims 1-27 are pending and have been examined.

Drawings

2.   The drawings are objected to because the Fig.6A, 6B, the class hierarchy of

class BaseController and class TemplateControllerForHtml are not consistent

with Fig.4. Fig.4 shows that the class BaseController is a child of

AbstractMVCPortletController and class TemplateControllerForHtml is extending

from class BaseController. However, in Fig.6A and 6B, it shows "public class

BaseController extends MVCPortlet" and "public class

TemplateControllerForHtml extends MSCBaseController". Corrected drawing

sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office

action to avoid abandonment of the application. Any amended replacement

drawing sheet should include all of the figures appearing on the immediate prior

version of the sheet, even if only one figure is being amended. The figure or

figure number of an amended drawing should not be labeled as "amended." If a

drawing figure is to be canceled, the appropriate figure must be removed from

the replacement sheet, and where necessary, the remaining figures must be

renumbered and appropriate changes made to the brief description of the several

views of the drawings for consistency. Additional replacement sheets may be

necessary to show the renumbering of the remaining figures. Each drawing sheet

submitted after the filing date of an application must be labeled in the top margin

as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If

the changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection

to the drawings will not be held in abeyance.

Specification

3.   The disclosure is objected to because of the following informalities:

- Page 8, line 3, "In FIG.112" should be "In FIG.12"

- Page 13, line 19, "includes blocks 21-26", there is no block number 26 in

  FIG.3.

- Page 11, line 21, opened bracket.

Appropriate correction is required.

Claim Objections

4.   Claims 1-9 are objected to because of the following informalities:

- Using the words "comprising: including" in claims 1-9;

- Using the words "comprises including" in claims 2-5

They appear to be misused and make the claims with grammatical and idiomatic

errors.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6.   Claims 3, 5, 14, 21 and 23 are rejected under 35 U.S.C. 112, first paragraph, as

failing to comply with the written description requirement. The claim(s) contains

subject matter which was not described in the specification in such a way as to

reasonably convey to one skilled in the relevant art that the inventor(s), at the

time the application was filed, had possession of the claimed invention.

Claims 3 and 21: The applicant claims the BasePortlet class includes the

actionPerformed method and setState method. However, the specification

discloses that the BasePortlet class only includes actionPerformed method. The

setState method is defined Action class.

Claims 5, 14 and 23: The applicant claims the BaseController class includes the performView method. However, there is no description about it in the specification. The specification discloses that only the State class includes PerformView method.

7.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8.   Claims 3, 5, 12, 14, 21 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3, 5, 12, 14, 21 and 23: The term "portlet specific method" in claims is a relative term which renders the claim indefinite. The term "portlet specific method" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 101

9.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10.   Claims 1-9 and 19-27 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

Claims 1-9: Applicant claims a method for designing object-oriented software for

implementing portlets of a portal. However, there are no detail steps in the claims

that disclose about how to implement portlets of a portal. It is just an abstract

idea rather than a practical application of the idea. So this renders claims 1-9 to

be non-statutory.

Claims 19-27: Applicant claims a computer program product, comprising a

computer usable medium having computer readable object-oriented software

embodied therein for implementing portlets of a portal. However, because the

method of implementing portlets which the applicant claimed is an abstract idea

as in claims 1-9 above. So the computer program product which contains the

abstract idea is also considered as non-statutory.

Claim Rejections - 35 USC § 102

11.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public
use or on sale in this country, more than one year prior to the date of application for patent in the United
States.

12.   Claims 1-6, 8-15, 17-24 and 26-27 are rejected under 35 U.S.C. 102(b) as being

anticipated by Hanis (Hanis et al., "Applying the State Pattern to WebSphere

Portal Portlets", Part 1- Overview, Part2 – Implementation, 12/11/2002)

Claim 1, 10 and 19: Hanis discloses the components of a state pattern

implementation which include a State class, an action class and program code

(Part 1, page 2, "StatemanagerPortlet", "action" and "State"):

- Including in the State class a performView method for display a view of a

  page (Part 1, pages 2-3, "Typically, the state's perform method will invoke

  a JSP to render its results.", page 5, "A state is a class that implements

  the state interface and represents the effect of the portlet as a result of

  applying an action. This class typically has a visual component.")

- Including in the Action class an actionPerformed method for performing an

  action and a setState method for setting the state object into the session

  (Part 1, page 2, "Classes that implement this interface will implement an

  actionPerformed method. ", "This method also sets the current state for

  further processing. In this flow process, an action gets called, it performs

  work specific to its function, and then sets the state for the next

  transition.")

- Adapting the program code to execute. (Part 1, page 2,

  "StateManagerProtlet...The class serves as a dispatcher to support action

  and state classes where the portlet code resides."

Claims 2, 11 and 20: <u>Hanis</u> further discloses The program code includes a portlet

code module and a controller code module, wherein the portlet code modules is

adapted to execute the actionPerformed method and the setState method, and

wherein the controller code module is adapted to execute the performView

method. (Part1, page 7, "The code below shows the simple processing in the

actionPerformed method of the StateManageProtlet class. Again, this method

simply gets the current action class instance and invokes it actionPerformed

method.", Part 1, page 7, "Before the state class is asked by the

StateMangerProtlet to write an HTML fragment to the response ,the

StateManagerPortlet can ask the state class calls to refresh it.")

Claims 3, 12 and 21: <u>Hanis</u> also discloses the portlet code module (part 1, page

2, "StateMangerPortlet") which includes the actionPerformed method. (Part 1,

page 2, "StateMangerPortlet implements the actionPerformed method...")

Claims 4, 13 and 22: <u>Hanis</u> further discloses that the action listener class

includes an actionPerformed method to respond to user action event. (Part 1,

pages 4, part 2, pages 6-7, implementation examples)

Claims 5, 14 and 23: <u>Hanis</u> also discloses that the controller code module

("StateMangerProtlet") includes portlet related methods.(Part1, page 2,

"StatemanagerProtlet implements the actionPerformed method and the doView,

doEdit, doHelp, and doConfigure methods.")

Claims 6, 15 and 24: <u>Hanis</u> further discloses that a first object of the state class

includes a first performView method for displaying a first portlet state of a given

page and a second object of the State class includes a second perofrmView

method for displaying a second portlet state of the given page. (Part1, page 2,

"Typically, the state's perform method will invoke a JSP to render its results",

part2, page 14-15, section "Wrapping up the portlet states and actions")

Claims 8, 17 and 26: <u>Hanis</u> further discloses that the software comprises Java

software. (Part 1, page 3, example of implementation using Java.)

Claims 9, 18 and 27: <u>Hanis</u> also discloses that the portal comprises a WSP

server. (Part1, page 1, "IBM ® WebSphere® Portal (hereafter called Portal)")

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

14.   Claims 7, 16 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Hanis in view of Hepper (Hepper et al., "Introducing the Portlet

Specification, Part 1", 08/01/2003)

Claims 7, 16 and 25: Hanis discloses the method, computer system and

computer software product as in claims 6, 15 and 24 above, but does not

explicitly disclose that the portlet states are selected from the group consisting of

a Normal portlet state, a Maximized portlet state, and a Minimized portlet state.

However, Hepper discloses that the Portlet Specification – JSR 168 defines the

following window states: Normal, Maximized and Minimized. (Pages 5-6, Window

states). It would have been obvious to one having ordinary skill in the art at the

time the invention was made to implement those three Portlet Specification

defined states. One would have been motivated and required to implement

Normal, Maximized and Minimized state defined by the Portlet Specification,

because, these are required features in JSR 168 according to Hepper.

Conclusion

15.   The prior art made of record and hot relied upon is considered pertiment to

applicant's disclosure:

- Hesmer et al., IBM Portlet Development Guide, First Edition, 10/25/2001

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zheng Wei whose telephone number is (571) 270-1059. The examiner can normally be reached on Monday-Thursday 14:00-15:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on (571) 270-01065. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ZW
08/18/2006

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08/18/2006